

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD E. MOORE,

Defendant.

No. 5:21-cr-00023-EKD-JCH

CONSENT MOTION TO CONTINUE TRIAL

Defendant Richard E. Moore (“Mr. Moore”), through counsel and with the government’s consent, moves to continue his jury trial currently set for February 18, 2022. The Court indicated when this date was chosen that the parties could later move for a continuance. The parties have discussed the matter and agree that a continuance is warranted.

Mr. Moore was arraigned less than one month ago, on December 16, 2021. Yet trial is set to begin in six weeks. The government’s discovery is voluminous and consists of more than 450,000 pages of records. It will take the defense a significant amount of time to review these records in order to adequately prepare for trial. Given the complexity of this case and the substantial amount of discovery that the government intends on producing, defense counsel cannot reasonably prepare for pretrial proceedings or for trial within the amount of time remaining before the current trial date, February 18, 2022.

In requesting this consent continuance, the defendant recognizes and states that the ends of justice served by continuing this case outweigh the best interest of the public and the defendant in a speedy trial.

Counsel for the parties have discussed the matter and based upon the estimate by counsel for the government of its case in chief, the parties expect that the trial will last ten to twelve trial days.

Wherefore, it is respectfully requested that the Court continue the trial in this matter to a date available to the parties and acceptable to the Court.

Dated: January 7, 2022

Respectfully,

/s/ Christopher M. Schafbuch

Christopher M. Schafbuch (VA Bar No. 94588)

Mark E. Schamel (*pro hac vice*)

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Counsel for Defendant Richard Moore

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2022, I caused a copy of the foregoing to be served via CM/ECF on all counsel of record.

/s/ Christopher M. Schafbuch
Christopher M. Schafbuch